

Plaintiffs' Exhibit B

TANYA LOUGHEAD

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

SIERRA BOUCHER, LILY ENGEBRECHT,
NATASSIA TUHOVAK, HANNAH WHELAN, and
CASSIDY WOOD,

Plaintiffs,

- against - Case No.
1:22-cv-00381-CCR

TRUSTEES OF CANISIUS COLLEGE,

Defendant.

Examination before trial of **TANYA LOUGHEAD**, taken pursuant to the Federal Rules of Civil Procedure, in the offices of JACK W. HUNT & ASSOCIATES, INC., 1120 Liberty Building, Buffalo, New York, on September 26, 2024, commencing at 2:52 p.m., before LORI K. BECK, CSR, CM, Notary Public.

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14:54:14 1 way we're not talking on top of one another, which
14:54:17 2 happens in normal conversation, but here we'll just
14:54:21 3 make the court reporter's job more difficult.

14:54:22 4 And finally, while I don't think we will be
14:54:25 5 here very long today, I'm open to take a break at
14:54:29 6 any time. I just ask that if a question is
14:54:31 7 pending, if it's out there, that you answer the
14:54:34 8 question and then we take a break, okay?

14:54:36 9 **A.** Okay.

14:54:39 10 **Q.** So Dr. Loughead, my understanding is
14:54:42 11 that you are a professor at Canisius University,
14:54:47 12 correct?

14:54:47 13 **A.** Yes.

14:54:48 14 **Q.** And how long have you worked for
14:54:52 15 Canisius?

14:54:52 16 **A.** This is my 19th year.

14:54:55 17 **Q.** Wow. And what department are you a
14:54:59 18 faculty member in?

14:55:01 19 **A.** Department of philosophy.

14:55:03 20 **Q.** And are you a tenured professor?

14:55:06 21 **A.** Yes.

14:55:08 22 **Q.** Okay. When did you receive tenure?

14:55:12 23 **A.** I think 2010.

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15:11:04 1 **Q.** How did you respond to -- to Morgan
15:11:07 2 when she came to you with her concerns about what
15:11:12 3 Noonan expected the students to do with their rats
15:11:16 4 at the end of that class?

15:11:17 5 **A.** I found her concern to be valid, and I
15:11:22 6 found her solution to be reasonable, so when she
15:11:27 7 asked me to speak with Dr. Noonan, I said that I
15:11:31 8 would.

15:11:31 9 I had only positive experiences with
15:11:35 10 Dr. Noonan up until that point, so when she asked
15:11:38 11 me to speak with him, I said that I would.

15:11:41 12 **Q.** Okay. And did there come a time when
15:11:44 13 you and Dr. Noonan had a conversation about
15:11:49 14 Morgan's concerns about the disposal of the rats in
15:11:52 15 that class that she was taking with him?

15:11:54 16 **A.** Yes. I don't recall whether I phoned
15:11:58 17 him or emailed him, but I asked him if I could meet
15:12:02 18 him in his office, and I specifically mentioned
15:12:06 19 that this is what I would be coming to talk with
15:12:08 20 him about, about this course.

15:12:12 21 And I went to his office in his department.
15:12:22 22 Small detail: His office was three or four times
15:12:26 23 as large of any other professor's office that I had

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15:12:30 1 been in, and I was a bit surprised by that.

15:12:33 2 I went to his office, and I sat down. He
15:12:35 3 had quite a large desk. The room -- the office was
15:12:38 4 about as big as this room. He was sitting behind
15:12:41 5 the desk at one end of the room, and I sat in a
15:12:44 6 chair on the other side, and I asked him if I could
15:12:48 7 speak with him about Morgan's request and about
15:12:51 8 this class.

15:12:52 9 And I wouldn't say we had a conversation.
15:12:58 10 He stood up from his desk and started pacing in the
15:13:01 11 back of the room and yelling.

15:13:06 12 And I was a bit confused. I had expected a
15:13:09 13 rational discussion and a solution. I was a bit
15:13:12 14 confused at his behavior, that he was pacing and
15:13:15 15 yelling and acting erratic. And I was a little bit
15:13:21 16 scared, to be frank, because I had never seen
15:13:24 17 someone behave like this.

15:13:26 18 And I kept telling him, you know, "Let's
15:13:28 19 have a discussion. I think we can have a solution
15:13:31 20 to this. I think Morgan's solution is a good one.
15:13:34 21 Let's sit down, let's relax, let's take a breather,
15:13:38 22 let's try to come up with a rational response to
15:13:40 23 this."

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15:13:42 1 And he wouldn't sit down, and he wouldn't
15:13:45 2 stop yelling. He was threatening Morgan in front
15:13:50 3 of me, and he was threatening me. At the time I
15:13:54 4 did not have tenure, and he was threatening me as
15:13:56 5 well, implying that he would somehow harm my tenure
15:14:01 6 case or harm my name or in some way punish me.

15:14:05 7 And he kept pacing, and he wasn't listening
15:14:11 8 to me, so at one point I said, "You really need to
15:14:14 9 sit down. You really need to calm down."

15:14:18 10 And he had like a tall glass filled with
15:14:21 11 pens and pencils in the front of his desk, and as
15:14:26 12 he was pacing, he grabbed a big handful of them and
15:14:29 13 threw them at my head as I was sitting there.

15:14:33 14 And I was utterly shocked, and I said, "This
15:14:38 15 is not professional behavior," and I said, you
15:14:45 16 know, "If you're going to discuss this in a
15:14:47 17 rational manner, I'm happy to discuss it again, but
15:14:51 18 I'm going to end this discussion and leave now."

15:14:53 19 And he kept yelling at me and threatening me
15:14:56 20 that he was going to do something to me, and I left
15:14:58 21 his office.

15:14:59 22 And it was soon after that that I found out
15:15:03 23 that he actually had kicked me off the IACUC as

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15:15:10 1 well.

15:15:19 2 Q. How long do you think that meeting
15:15:22 3 lasted with Dr. Noonan?

15:15:25 4 A. I don't recall, but my guess would be
15:15:28 5 15 minutes.

15:15:29 6 Q. And did you ever get a sense from
15:15:35 7 Dr. Noonan what his objection was to Noonan's [sic]
15:15:40 8 suggestion about permitting the students to adopt
15:15:45 9 the rats at the end of the class?

15:15:46 10 MR. D'ANTONIO: Form.

15:15:48 11 THE WITNESS: So to  suggestion.

15:15:51 12 BY MS. NANAU:

15:15:51 13 Q. Yes.

15:15:51 14 A. Yes, exactly. I -- I -- I don't want
15:15:54 15 to imply that I know his objections, but I will say
15:15:57 16 that his response seemed outsized and irrational in
15:16:01 17 a way that made me think he wasn't really seeking
15:16:05 18 solutions at all, that he objected to people
15:16:09 19 questioning his power and perhaps in particular
15:16:13 20 women questioning his question -- his position of
15:16:16 21 power.

15:16:17 22 Because the solution was rational and
15:16:20 23 wouldn't have harmed him in any way, either his

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15:16:23 1 money or his job or his reputation in any way, so I
15:16:28 2 don't understand what his objection to the proposal
15:16:30 3 was, and that seemed irrational to me.


15:16:35 4 So my impression was that he simply didn't
15:16:38 5 like women questioning his judgment.

15:16:40 6 Q. Was there anything else that he said or
15:16:45 7 did -- well, strike that.

15:16:47 8 Was there anything that Noonan said during
15:16:51 9 the meeting that you've just recounted that
15:16:54 10 suggested to you that he was made so upset because,
15:17:02 11 as a woman, you were questioning his authority?

15:17:05 12 MR. D'ANTONIO: Objection to form.

15:17:09 13 THE WITNESS: I would just say the -- his
15:17:12 14 response was not a rational response to a solution.

15:17:20 15 And I would say, given that both  and
15:17:23 16 I are women and that he was acting so irrationally
15:17:29 17 not against the solution itself but against us
15:17:32 18 questioning his authority, I presumed that it had
15:17:36 19 something to do with the fact that we questioned
15:17:40 20 his authority in any way.

15:17:46 21 BY MS. NANAU:

15:17:47 22 Q. When do you believe that this meeting
15:17:49 23 took place with Dr. Noonan?

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15:17:51 1 **A.** I do not recall.

15:17:52 2 **Q.** Would it be fair to say that you had
15:17:54 3 been at Canisius for at least five years?

15:17:59 4 **MR. D'ANTONIO:** Objection to form.

15:18:00 5 **THE WITNESS:** I don't believe so. If I had
15:18:03 6 to guess, I would say it was about three years
15:18:07 7 after I joined Canisius, which would make it 2008
15:18:10 8 or 2009.

15:18:12 9 **BY MS. NANAU:**

15:18:12 10 **Q.** Okay. Had you seen -- other than your
15:18:23 11 tenure on the IACUC, had you seen Dr. Noonan engage
15:18:28 12 with other faculty members in other -- in another
15:18:34 13 capacity?

15:18:36 14 **A.** Many times. He was chair of the
15:18:42 15 Faculty Senate for two terms while I was a Faculty
15:18:47 16 Senator, and it's a small campus with a small
15:18:50 17 faculty.

15:18:51 18 I would say it's fair to say that on
15:18:53 19 average, I saw Dr. Noonan or spoke to him in some
15:18:55 20 way at least once a week either because there was a
15:18:59 21 Senate meeting or just because I ran into him on
15:19:03 22 campus.

15:19:03 23 **Q.** Let's take your time with Dr. Noonan in

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15:19:16 1 the Faculty Senate.

15:19:17 2 Did Dr. Noonan engage with other faculty
15:19:21 3 members in an appropriate manner as you observed
15:19:28 4 him?

15:19:30 5 **A.** He was a terrible Faculty Senate chair.
15:19:35 6 He was very sadistic and mean to anyone he had
15:19:42 7 power over.

15:19:49 8 **Q.** Can you give me an example of
15:19:51 9 Dr. Noonan's sadistic or mean behavior towards
15:19:55 10 someone who he had power over?

15:19:58 11 **A.** I would say it was common in almost
15:20:00 12 every Faculty Senate meeting that he showed this
15:20:03 13 behavior.

15:20:05 14 One occasion that stands out to me, for
15:20:09 15 which I reported him, is an occasion on which we
15:20:12 16 had a Faculty Senate meeting where we had invited
15:20:17 17 the woman who ran our service learning office, who
15:20:22 18 was a nun in her 70s, Sister Pat.

15:20:29 19 And she was a very meek, shy, obviously holy
15:20:36 20 woman, very meek, very quiet, and she ran the
15:20:41 21 office that helped students find volunteer
15:20:45 22 opportunities, like soup kitchens.

15:20:47 23 And she was invited to a Faculty Senate

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15:20:50 1 meeting merely to talk about service learning,
15:20:53 2 opportunities she was offering, nothing
15:20:56 3 controversial.

15:20:58 4 And Dr. Noonan was unbelievably sadistic to
15:21:08 5 her, cruel, yelling at her. Once again I saw this
15:21:11 6 pacing behavior of him, standing up, pacing,
15:21:16 7 yelling at people.

15:21:16 8 And again I didn't understand why, because
15:21:20 9 the content of what she was saying did not threaten
15:21:25 10 him in any way. She was -- he doesn't do service
15:21:28 11 learning, and she was talking about places that she
15:21:34 12 offers service learning, and I was struck by a
15:21:37 13 mismatch between what was at stake for Dr. Noonan
15:21:41 14 and why he was so angry and pacing and yelling.

15:21:45 15 And it went on for about 30 minutes that he
15:21:48 16 was acting in a sadistic way towards her, and
15:21:53 17 eventually, myself and a couple of others in the
15:21:56 18 meeting -- it was a Senate meeting, so there were
15:21:58 19 approximately 15 people in the room -- repeatedly
15:22:02 20 said to Dr. Noonan, "Let's end this conversation.
15:22:04 21 Let's move on. Let's -- let's wrap this up."

15:22:08 22 I could tell that Sister Pat was flustered
15:22:13 23 and close to tears, and I was really disturbed

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15:22:18 1 after the Senate meeting, to such a degree that the
15:22:21 2 next day I contacted my dean and reported the
15:22:25 3 incident to her.

15:22:27 4 Q. Who was the dean who you reported this
15:22:32 5 incident with Noonan and Sister Pat to?

15:22:37 6 A. Pat Erickson.

15:22:39 7 Q. Is it Dr. Erickson?

15:22:41 8 A. Yes.

15:22:42 9 Q. Was Dr. Erickson the dean of the
15:22:44 10 college of arts and sciences?

15:22:47 11 A. Yes.

15:22:47 12 Q. And when do you think this was that you
15:22:50 13 went to Dean Erickson?

15:22:53 14 A. I do not recall, but I just looked in
15:22:58 15 my old email to see the years when Dr. Noonan was
15:23:02 16 chair of the Faculty Senate, and it seems like
15:23:05 17 those years were 2014, 2015.

15:23:11 18 So I am guessing that the meeting with
15:23:14 19 Sister Pat took place sometime in 2014, 2015, and
15:23:19 20 that thus my report to the dean took place in 2014,
15:23:24 21 '15.

15:23:24 22 Q. So you went to Dr. Erickson after you
15:23:27 23 had -- or years after you had this disconcerting

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15:23:33 1 meeting with Dr. Noonan about  request.

15:23:35 2 **A.** Right. I did not go to the dean at
15:23:37 3 that time. I told my chair of my department about
15:23:39 4 the meeting.

15:23:40 5 **Q.** Okay. Who was the chair?

15:23:42 6 **A.** George Boger, B-O-G-E-R.

15:23:48 7 **Q.** So when did you tell Dr. Boger about
15:23:52 8 the meeting that you had with Dr. Noonan regarding
15:23:55 9 Morgan's concern and his behavior towards you?

15:23:59 10 **A.** On two occasions. The week that it
15:24:02 11 happened I gave him the basic outline of the
15:24:08 12 meeting, and I said -- because he was my chair, I
15:24:15 13 said, "He said disconcerting things, threatened me,
15:24:19 14 threatened my tenure, threatened my success at
15:24:24 15 Canisius, and as my chair, I want you to know that
15:24:27 16 Dr. Noonan said this."

15:24:28 17 And then I had a second conversation with
15:24:30 18 him probably two or three weeks later that he --
15:24:38 19 that is, Dr. Boger -- instigated, and Dr. Boger
15:24:44 20 contacted me in my office. He came to my office
15:24:50 21 and said could he shut the door, which was odd,
15:24:53 22 because we have an open-door policy in our
15:24:55 23 department. We talk, and all of us keep our office

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15:24:58 1 doors open.

15:24:59 2 He came into my office and said, "Can I shut
15:25:02 3 the door?" And I said yes, and he said, "I need to
15:25:06 4 tell you something very troubling, and I'm actually
15:25:09 5 not supposed to tell you this. I was instructed
15:25:11 6 not to tell you this, but I'm going to tell you
15:25:14 7 because I'm worried about you."

15:25:16 8 And I said okay, and he said, "Campus
15:25:21 9 security has contacted me and told me that you are
15:25:27 10 a possible terrorist and that you are a threat
15:25:34 11 because you are an animal rights activist and a
15:25:38 12 terrorist and that he believes you should be on the
15:25:42 13 FBI watch list and that campus security has been
15:25:46 14 notified about you perhaps being on the FBI watch
15:25:50 15 list."

15:25:51 16 And I knew immediately where this came from,
15:25:55 17 and I said, "Do you remember the conversation that
15:25:58 18 I said to you a week ago about Dr. Noonan
15:26:00 19 threatening me?" And he said yes, and I said,
15:26:04 20 "That's where this is coming from."

15:26:06 21 Now, of course, we had no proof that
15:26:10 22 Dr. Noonan called campus security, to be clear. We
15:26:17 23 had no proof of that, but he did threaten me in the

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15:26:20 1 meeting and said that he intended to harm me or my
15:26:24 2 tenure case in some way, and it was probably two
15:26:28 3 weeks after that that he contacted campus security
15:26:34 4 and told them that I was a terrorist and dangerous
15:26:40 5 and who then contacted the chair of my department
15:26:43 6 and told him that.

15:26:45 7 **Q.** Do you recall, during that meeting that
15:26:48 8 you described previously with Dr. Noonan when you
15:26:51 9 were trying to discuss  proposal, the words
15:26:55 10 that he used to threaten you or your tenure
15:27:00 11 application at Canisius?

15:27:02 12 **A.** I don't remember the exact words, but I
15:27:04 13 was quite flustered. He was yelling and pacing and
15:27:09 14 very angry, and frankly, I was just trying to calm
15:27:14 15 him down, get him to sit in his chair and talk
15:27:17 16 rationally.

15:27:18 17 And I do not recall the exact words that he
15:27:22 18 used, but he did threaten me.

15:27:27 19 **Q.** When Dr. -- when you went to Dr. Boger
15:27:31 20 the first time to describe this meeting that you
15:27:34 21 had with Dr. Noonan, what was Dr. Boger's response?

15:27:41 22 **A.** He was surprised, of course, that
15:27:45 23 Dr. Noonan was so angry and threw pens at my head.

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15:27:55 1 He didn't seem entirely surprised -- he was
15:28:03 2 surprised at the extent to which Dr. Noonan was
15:28:06 3 angry, but he wasn't surprised at the sadistic
15:28:11 4 behavior. He said, "That sounds like something he
15:28:15 5 would do," and -- yeah.

15:28:23 6 Q. Did Dr. Boger suggest that you go to
15:28:25 7 human resources to report Dr. Noonan?

15:28:29 8 A. He did. I was untenured and did not
15:28:34 9 want to risk that.

15:28:38 10 Q. Had anyone suggested going to -- maybe
15:28:43 11 not Dr. Boger, but had anyone suggested to you that
15:28:48 12 going to human resources could put your tenure
15:28:50 13 application at risk?

15:28:53 14 A. No one said that to me, no.

15:28:56 15 Q. But you were -- you were afraid that
15:28:58 16 going to human resources --

15:29:00 17 A. Yes.

15:29:00 18 Q. -- could have repercussions?

15:29:04 19 A. I was aware that Dr. Noonan is a very
15:29:05 20 powerful professor on campus, maybe the most
15:29:09 21 powerful professor on campus, and that if me as a
15:29:13 22 young woman professor questioned his authority, the
15:29:18 23 person who would suffer would be me, not him.

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15:29:22 1 Q. How was it made clear to you that
15:29:24 2 Dr. Noonan was a powerful professor on campus?

15:29:29 3 A. At that time it was the fastest growing
15:29:32 4 major on our campus.

15:29:34 5 Q. The ABEC?

15:29:35 6 A. The ABEC major. It was also the major
15:29:39 7 for which the majority of the students in that
15:29:42 8 department came from out of state or even out of
15:29:45 9 the nation.

15:29:46 10 So most of our students at Canisius at that
15:29:50 11 time were local or at least in Western New York,
15:29:52 12 but this was the hot new program. It was getting
15:29:58 13 students from around the nation.

15:30:03 14 And he pretty much got what he wanted from
15:30:05 15 the president and the vice-president, and we all
15:30:10 16 saw it.

15:30:11 17 Q. Can you provide me with an example of
15:30:15 18 what Dr. Noonan would get from the president or
15:30:18 19 vice-president?

15:30:20 20 Like what did they afford him that gave you
15:30:25 21 the idea that he was a very powerful professor on
15:30:28 22 campus?

15:30:29 23 A. First of all, that they allowed him to

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15:30:30 1 start this new department. That's not his area of
15:30:33 2 expertise. His background is actually in
15:30:39 3 psychology, and they allowed him, frankly without
15:30:42 4 qualifications really, to start this new major and
15:30:45 5 this new program and to be the chair of it.

15:30:49 6 And they gave him a lot of startup money to
15:30:52 7 start this new program, and not a lot of us in a
15:30:56 8 small college get money to start a new program.

15:31:01 9 **Q.** Were you privy to the funding that
15:31:05 10 Dr. Noonan received to start the ABEC program
15:31:10 11 because of your position on the Faculty Senate?

15:31:13 12 **A.** No. I don't know how much funding he
15:31:15 13 got. I know that it does take a lot of funding to
15:31:17 14 hire faculty and set up a new program, and I know
15:31:22 15 that he got that funding. I don't know the amount.

15:31:25 16 **Q.** Got it. So by virtue of the fact that
15:31:28 17 Dr. Noonan was permitted to start the ABEC major --
15:31:32 18 or program major and then hire faculty for it, that
15:31:36 19 demonstrated that the Canisius senior
15:31:38 20 administrators were supporting him --

15:31:39 21 **A.** Yes.

15:31:40 22 **Q.** -- in that endeavor.

15:31:42 23 **MR. D'ANTONIO:** Form.

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15:31:42 1 **THE WITNESS:** Yes. That and he would
15:31:48 2 receive a lot of travel funding from the senior
15:31:50 3 administration for his various trips, research
15:31:54 4 proposals, a lot of funding from senior
15:31:57 5 administrators that the rest of us did not get.

15:32:08 6 **BY MS. NANAU:**

15:32:09 7 **Q.** The Faculty Senate, is that where the
15:32:14 8 faculty discusses issues with regard to, I guess,
15:32:28 9 faculty life on campus? Is that -- is that a fair
15:32:31 10 approximation of what that body does?

15:32:36 11 **MR. D'ANTONIO:** Form.

15:32:37 12 **THE WITNESS:** It's a body that discusses
15:32:39 13 many issues, some of which are curricular, so
15:32:43 14 courses, course structure, general education
15:32:47 15 requirements, but also pay, budget, benefits.

15:32:59 16 Really everything is supposed to go through
15:33:02 17 the Faculty Senate, whether it has to do with
15:33:05 18 workload, pay, and benefits or whether it has to do
15:33:08 19 with curricular and educational matters.

15:33:10 20 Everything is supposed to go through the
15:33:11 21 Senate.

15:33:11 22 **BY MS. NANAU:**

15:33:13 23 **Q.** Is the Faculty Senate the body that

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15:33:15 1 represents the faculty in discussion -- in
15:33:19 2 discussions with the senior administration about
15:33:21 3 pay and benefits for the faculty?

15:33:24 4 **A.** Yes.

15:33:25 5 **Q.** And is the Faculty Senate also the body
15:33:29 6 that represents the faculty in discussions with
15:33:34 7 Canisius senior administration about issues related
15:33:38 8 to educational programs?

15:33:43 9 **A.** Yes.

15:33:43 10 **Q.** Okay. So in the Faculty Senate, were
15:33:47 11 there any faculty members who complained about the
15:33:50 12 amount of funding that Canisius administration was
15:33:55 13 affording Dr. Noonan at any time that you're aware
15:33:58 14 of?

15:33:58 15 **A.** Not that I'm aware.

15:34:00 16 **Q.** Okay. So let's go back to, then, this
15:34:16 17 situation with Sister Pat.

15:34:18 18 **A.** Right.

15:34:21 19 **Q.** Did you -- did you go to Dr. Erickson
15:34:24 20 with Sister Pat or on behalf of her or just on your
15:34:28 21 own initiative?

15:34:29 22 **A.** On my own initiative.

15:34:30 23 **Q.** Okay. And did you go more than once,

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15:34:35 1 or was it just one meeting?

15:34:36 2 **A.** One meeting.

15:34:37 3 **Q.** And did you make an appointment with
15:34:40 4 Dr. Erickson?

15:34:45 5 **A.** I do not recall, although I believe I
15:34:49 6 phoned her and asked if I could come over the very
15:34:53 7 next day after the occasion.

15:34:54 8 **Q.** Okay. And by this time, the time of
15:34:57 9 this meeting, were you a tenured faculty member --

15:35:01 10 **A.** Yes.

15:35:01 11 **Q.** -- at Canisius?

15:35:04 12 And had there -- had Dr. -- other than this
15:35:10 13 information that you got from Dr. Boger about a
15:35:15 14 phone call that he got from Canisius campus
15:35:18 15 security alerting him to the fact that you were a
15:35:22 16 terrorist and an animal rights activist, was
15:35:29 17 there -- did Dr. Noonan have any impact on your
15:35:32 18 tenure application or -- or that process at all
15:35:36 19 that you're aware of?

15:35:37 20 **A.** He had no impact on my tenure
15:35:39 21 application.

15:35:39 22 **Q.** Okay.

15:35:41 23 **A.** Although to be fair, I did twice as

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15:38:15 1 obviously given to the campus security?

15:38:17 2 **A.** No.

15:38:18 3 **MR. D'ANTONIO:** Objection to form.

15:38:18 4 **BY MS. NANAU:**

15:38:19 5 **Q.** So you went to Dr. Erickson's office,
15:38:29 6 and what did you tell her?

15:38:30 7 **A.** I explained to Dr. Erickson what had
15:38:32 8 happened at the Faculty Senate meeting, and I
15:38:37 9 explained in detail Dr. Noonan's behavior and how
15:38:46 10 rude he was to Sister Pat and how sadistic he was
15:38:50 11 to Sister Pat and said that somebody needed to talk
15:38:55 12 with Dr. Noonan, whether it be HR or the counseling
15:39:03 13 department or -- somebody needed to speak with him,
15:39:09 14 because he had anger problems and was a sadistic
15:39:13 15 person.

15:39:14 16 And I also told her that this is not the
15:39:18 17 first time that I had seen him act like that. I
15:39:20 18 did not go into detail with her, but I said the way
15:39:23 19 that I saw him act -- angry and irrationally
15:39:31 20 sadistic -- against Sister Pat, he had also acted
15:39:33 21 towards me.

15:39:34 22 **Q.** And how did Dr. Erickson respond to
15:39:37 23 this information?

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15:39:38 1 **A.** She said -- she laughed, and she said,
15:39:44 2 "We all know what Dr. Noonan is like, and you are
15:39:48 3 not the first person to make a report against him."

15:39:55 4 And I remember that she put her hands on her
15:39:58 5 desk and went something like this, and she said,
15:40:02 6 "There are complaints against this man this high.
15:40:04 7 Nothing is going to happen to him. He's too
15:40:06 8 powerful."

15:40:10 9 **Q.** Just for the record, Dr. Loughead, do
15:40:15 10 you agree that you -- you used your hands to show
15:40:17 11 me --

15:40:18 12 **A.** Yes. She said she -- I don't know, ten
15:40:23 13 inches or so. She motioned with her hands and
15:40:26 14 said, "There are complaints with him that high,"
15:40:29 15 about ten inches or so between her two hands, and
15:40:33 16 said, "There are complaints with him that many,
15:40:36 17 that high, and nothing ever -- is ever going to
15:40:39 18 happen to him, because he's too powerful."

15:40:41 19 **Q.** How did you respond when Dr. Erickson
15:40:44 20 said this?

15:40:44 21 **A.** I mean, I was flabbergasted, but I
15:40:55 22 said, "I can't imagine that there's not something
15:40:58 23 that could be done, that HR could speak with him or

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15:41:01 1 they could require him to do anger management or
15:41:04 2 some kind of training."

15:41:09 3 I was a bit flabbergasted that the college
15:41:12 4 would be aware of his behavior and not do something
15:41:15 5 about it, according to her.

15:41:17 6 **Q.** Were you concerned about going to
15:41:30 7 Dr. Erickson about Dr. Noonan's misconduct after
15:41:34 8 you received this kind of response from her?

15:41:39 9 Were you afraid of retaliation from
15:41:41 10 Dr. Noonan?

15:41:42 11 **MR. D'ANTONIO:** Objection to form.

15:41:44 12 **THE WITNESS:** No, I trusted Dr. Erickson.

15:41:57 13 **BY MS. NANAU:**

15:41:57 14 **Q.** Had you ever witnessed Dr. Noonan
15:42:00 15 engage in the kind of misconduct that he directed
15:42:04 16 at you and Sister Pat -- did he ever direct that
15:42:10 17 against -- that kind of misconduct towards any male
15:42:12 18 faculty members that you're aware of or that you
15:42:15 19 observed?

15:42:17 20 **A.** I would say it's a matter of degree.
15:42:24 21 In general, I would characterize him as a bully,
15:42:31 22 and he showed his bullying behavior to everyone who
15:42:35 23 was junior to him.

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15:42:38 1 On the other hand, the two times that I saw
15:42:40 2 him really lose his cool, it was with women, but I
15:42:48 3 have seen that bullying behavior as typical
15:42:52 4 behavior of him in the Faculty Senate, against men
15:42:56 5 and women alike. Not to that degree.

15:42:58 6 Q. Okay. So in your opinion, this kind of
15:43:05 7 unhinged misconduct that he engaged in with you and
15:43:10 8 with Dr. [sic] Pat, you believe he engaged in that
15:43:13 9 kind of misconduct because you're women.

15:43:18 10 MR. D'ANTONIO: Objection to form.

15:43:18 11 THE WITNESS: Yes. I would say to Sister
15:43:20 12 Pat, I believe you meant --

15:43:22 13 BY MS. NANAU:

15:43:22 14 Q. Sorry.

15:43:22 15 A. -- but yes. Yes, based on my
15:43:25 16 experience, he was always a bully, but particularly
15:43:30 17 sadistic with women. That's my experience.

15:43:36 18 Q. Is it fair for me to conclude that
15:43:45 19 after this one report to Dr. Erickson, you did not
15:43:48 20 report Dr. Noonan's misconduct either with you or
15:43:53 21 with Sister Pat in the Faculty Senate to anyone
15:43:58 22 else in the senior administration?

15:43:59 23 MR. D'ANTONIO: Objection to form.

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15:48:27 1 Q. That there was this quid pro quo
15:48:30 2 between Noonan and Hurley?

15:48:31 3 MR. D'ANTONIO: Objection.

15:48:32 4 THE WITNESS: Yes.

15:48:32 5 BY MS. NANAU:

15:48:33 6 Q. Tell me: What was the -- what was
15:48:35 7 President Hurley's conduct that suggested to you
15:48:37 8 that there was some kind of quid quo pro going on?

15:48:40 9 MR. D'ANTONIO: Form.

15:48:41 10 THE WITNESS: There were many occasions
15:48:43 11 where the Faculty Senate would decide on an issue
15:48:53 12 and Dr. Noonan would have private one-on-one
15:48:57 13 meetings with Hurley and what came out of those
15:49:02 14 meetings was not what the Senate had discussed.

15:49:07 15 At the same time, Dr. Noonan continued to
15:49:13 16 get more funding for his program and his research
15:49:16 17 than any other professor was getting, so while I
15:49:22 18 don't have proof that this was a quid quo pro, it
15:49:25 19 seemed as if Dr. Noonan was selling the faculty and
15:49:31 20 their desire short in order to stay on President
15:49:36 21 Hurley's good side and continue to get funding from
15:49:39 22 him.

15:49:39 23 BY MS. NANAU:

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15:49:39 1 Q. As the chair of the Senate, what --
15:49:46 2 Dr. Noonan's role was to deliver positions from the
15:49:53 3 Faculty Senate and convey it to President Hurley or
15:49:56 4 the Canisius administration; is that right?

15:49:59 5 A. The role of the Senate chair is to
15:50:02 6 represent the will of the faculty.

15:50:04 7 Q. So your testimony is that he -- that
15:50:06 8 was his job, to express the will of the faculty,
15:50:11 9 and he did not do that.

15:50:12 10 A. Exactly.

15:50:19 11 Q. Were there any other ABEC department
15:50:24 12 faculty members in the Faculty Senate when you were
15:50:26 13 serving?

15:50:29 14 A. Not that I recall.

15:50:29 15 Q. Okay. I guess I'm just wondering:

15:50:33 16 Were you aware of other faculty in the ABEC
15:50:37 17 department who took issue to the fact that
15:50:44 18 Dr. Noonan was getting funding for his research and
15:50:49 19 his trips in a way that perhaps they were not?

15:50:53 20 Were you ever privy to any of those kind of
15:50:55 21 complaints?

15:50:57 22 A. I recall a conversation that I had with
15:51:01 23 Paul Waldau. I think it's W-A-L-D-A-U. I'm

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15:51:11 1 unclear.

15:51:13 2 Q. That's correct. Professors Waldau --
15:51:16 3 or Dr. Waldau, he was the chair of the graduate
15:51:20 4 program, correct?

15:51:24 5 A. Eventually, yes.

15:51:25 6 Q. And what did Dr. Waldau tell you?

15:51:30 7 A. He told me that he did not get along
15:51:32 8 with Dr. Noonan, that they had many disagreements
15:51:39 9 on everything from course design to trips to --
15:51:53 10 really everything, and that -- Paul said -- or
15:51:59 11 Dr. Waldau said that he was not getting the funding
15:52:01 12 for his research and trips to the degree that
15:52:03 13 Dr. Noonan was.

15:52:08 14 And also that Dr. Noonan had a kind of "my
15:52:15 15 way or the highway" attitude in running the
15:52:17 16 department. I believe he referred to it as "It's
15:52:24 17 his kingdom in his mind, and you don't step on his
15:52:29 18 kingdom."

15:52:30 19 Q. Do you recall the year when you had
15:52:32 20 this discussion with Dr. Waldau?

15:52:35 21 A. I do not.

15:52:36 22 Q. Okay. Do you know if Dr. Waldau ever
15:52:41 23 went to human resources to complain about the fact

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